

DJW

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Jodi Hobbs

Jodi Hobbs

Sept 18, 2007

Signature

Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Monaci, *et al.*

Serial No.: 10/565,418 - Case No.: ITR0065YP

Art Unit:

1647

Filed: January 23, 2006

For: SYNTHETIC GENE ENCODING HUMAN
EPIDERMAL GROWTH FACTOR 2/NEU
ANTIGEN AND USES THEREOF

Examiner:

Allen, M.P.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This communication is in response to the outstanding Restriction Requirement mailed August 28, 2007, in the above-identified application, having a one-month period for response set to expire September 28, 2006. Reconsideration and allowance of the above-identified patent application are respectfully requested. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

The Office Action states that the application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

- Group I, claims 1-5 and 11 → drawn to a synthetic nucleic acid molecule encoding SEQ ID NO:2 and method of producing the encoded protein.
- Group II, claims 6-10 and 12 → drawn to a synthetic nucleic acid molecule encoding SEQ ID NO:14 and method of making the encoded protein.
- Group III, claims 13 and 15-24 → drawn to a method of preventing or treating cancer by administering a vaccine vector.